

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

**Dave Van Vliet, Herbert Wallace Campbell,
and Stephen Barrie Chambers**

Confirmation No.

Application No.

Filed: Concurrently herewith

For: **TREATMENT OF A WASTE
STREAM THROUGH PRODUCTION
AND UTILIZATION OF
OXYHYDROGEN GAS**

Group Art Unit:

Examiner:

Date: November 19, 2003

INFORMATION DISCLOSURE STATEMENT

TO THE COMMISSIONER FOR PATENTS:

1. Pursuant to the duty of disclosure, documents listed on the accompanying Form PTO-1449 (or equivalent) are presented for the Examiner's consideration.
 - Copies of listed documents are enclosed. (37 CFR § 1.98(a))
 - Copies of listed U.S. patent documents are omitted because this application was filed after June 30, 2003 and is, thus, subject to image file wrapper processing. Copies of listed foreign patent documents and non-patent literature are enclosed.
 - Copies of the documents listed on sheet(s) _____ of Form PTO-1449 (or equivalent) are omitted because (1) they are already of record in U.S. Patent Application No. _____, filed _____, on which this application relies for an earlier filing date under 35 U.S.C. § 120; and (2) any information disclosure statement filed in the prosecution of Application No. _____, complies with 37 CFR §§ 1.98(a) through (c). (37 C.F.R. § 1.98(d))
2. The Examiner's attention is directed to the enclosed copy of copending U.S. Patent Application No. _____, filed _____, for _____, which is cited in this application.
3. This information disclosure statement is being submitted (check box a., b., or c.):
 - a. Within three months of the filing date of a national application or entry of the national stage in an international application; or before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. (No statement under 37 CFR 1.97(e) is required.); or

- b. After the period set forth in paragraph 3a, but before the mailing date of either a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. (Check box i. or ii.)
- i. A \$180.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed, or
- ii. A statement specified by 37 CFR 1.97(e) is set forth below; or
- c. After the mailing date of a final action or notice of allowance and on or before payment of the issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. Enclosed is a \$180.00 information disclosure statement processing fee set forth in 37 CFR 1.17(p).
4. If a statement specified by 37 CFR 1.97(e) is required, the attorney or agent signing below hereby states that:
- each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.
5. A concise explanation of the relevance of each document not in the English language and/or selected documents in the English language is set forth below.

Respectfully submitted,

Xogen Power Inc.

By



Kassim M. Ferris

Registration No. 39,974

STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, OR 97204-1268
Telephone: (503) 224-3380
Facsimile: (503) 220-2480
Attorney Docket No. 60538/2:1

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use as many sheets as necessary)

Sheet 1 of 5

Application Number	
Filing Date	
First Named Inventor	Dave Van Vliet
Art Unit	
Examiner Name	

Attorney Docket Number 60538/2:1

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (<i># known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US- 3,311,097	03/28/1967	Mittelstaedt	
	2	US- 3,505,188	04/07/1970	Pei-Tai Pan	
	3	US- 3,980,053	09/14/1976	Horvath	
	4	US- 3,981,789	09/21/1976	Harrison, et al.	
	5	US- 4,009,104	02/22/1977	Behrendt, et al.	
	6	US- 4,014,777	03/29/1977	Brown	
	7	US- 4,036,726	07/19/1977	Gale, et al.	
	8	US- 4,062,754	12/13/1977	Eibl	
	9	US- 4,101,409	07/18/1978	Austin	
	10	US- 4,140,609	02/20/1979	Zucker	
	11	US- 4,169,029	09/25/1979	Smirnov, et al.	
	12	US- 4,179,347	12/18/1979	Krause, et al.	
	13	US- 4,184,931	01/22/1980	Inoue	
	14	US- 4,206,031	06/03/1980	King	
	15	US- 4,384,943	05/24/1983	Stoner, et al.	
	16	US- 4,439,290	03/27/1984	Marfurt, et al.	
	17	US- 4,755,305	07/05/1988	Fremont, et al.	
	18	US- 4,772,369	09/20/1988	Mercier, et al.	
	19	US- 4,908,109	03/13/1990	Wright	

FOREIGN PATENT DOCUMENTS

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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		Number-Kind Code ² (<i>if known</i>)			
20	US- 4,919,775		04/24/1990	Ishigaki	
21	US- 4,956,057		09/11/1990	Stucki, et al.	
22	US- 5,091,152		02/25/1992	Thomas, Sr.	
23	US- 5,108,563		04/28/1992	Cook	
24	US- 5,256,263		10/26/1993	Kanai	
25	US- 5,304,289		04/19/1994	Hayakawa	
26	US- 5,324,398		06/28/1994	Erickson, et al.	
27	US- 5,376,242		12/27/1994	Hayakawa	
28	US- 5,399,247		03/21/1995	Carey, et al.	
29	US- 5,435,894		07/25/1995	Hayakawa	
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31	US- 5,460,702		10/24/1995	Birkbeck, et al.	
32	US- 5,549,800		08/27/1996	Iwata	
33	US- 5,549,812		08/27/1996	Witt a.k.a. Witte	
34	US- 5,599,437		02/04/1997	Taylor, et al.	
35	US- 5,611,907		03/18/1997	Herbst, et al.	
36	US- 5,614,078		03/25/1997	Lubin, et al.	
37	US- 5,695,650		12/09/1997	Held	
38	US- 5,698,107		12/16/1997	Wurzburger, et al.	

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	39	US- 5,851,404	12/22/1998	Christy, et al.	
	40	US- 5,928,490	07/27/1999	Sweeney	
	41	US- 5,935,392	08/10/1999	Lubin, et al.	
	42	US- 5,935,412	08/10/1999	Brainard II	
	43	US- 6,126,794	10/03/2000	Chambers	
	44	US- 6,126,838	10/03/2000	Huang, et al.	
	45	US- 6,139,710	10/31/2000	Powell	
	46	US- 6,179,977	01/30/2001	Herbst	
	47	US- 6,179,991	01/30/2001	Norris, et al.	
	48	US- 6,238,546	05/29/2001	Knieper, et al.	
	49	US- 6,241,861	06/05/2001	Herbst	
	50	US- 6,294,061	09/25/2001	Morkovsky, et al.	
	51	US- 6,315,886	11/13/2001	Zappi, et al.	
	52	US- 6,328,875	12/11/2001	Zappi, et al.	
	53	US- 6,346,197	02/12/2002	Stephenson, et al.	
	54	US- 6,391,184	05/21/2002	Orolin, et al.	
	55	US- 6,419,815	07/16/2002	Chambers	
	56	US- 6,482,327	11/19/2002	Mori, et al.	
	57	US- 6,488,835	12/03/2002	Powell	

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		First Named Inventor	Dave Van Vliet
		Art Unit	
		Examiner Name	
		Attorney Docket Number	60538/2:1
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**INFORMATION DISCLOSURE
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		First Named Inventor	Dave Van Vliet
		Art Unit	
		Examiner Name	
Sheet	5	of	5
		Attorney Docket Number	60538/2:1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	64	BATTELLE, "Battelle and D-H2O Demonstrate a Novel Pulsed Electric Field Technology to Substantially Reduce Biosolids," News Release, http://www.battelle.org/news/02/04-19-02Biosolids.stm , 2 pgs, April 19, 2002.	
	65	DONALD MILLS, "A New Process for Electrocoagulation," Journal AWWA, Plant Operation, June 2000, pgs. 34-43, Volume 92, Issue 6.	
	66	Zappi Water Purification Systems, "Patents & Publications," visited 11/6/03, http://www.zappisystems.com/patents.htm , 1 page.	

Examiner Signature	Date Considered
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